

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

JARED LEE DOWNWARD,

Plaintiff,

v.

MICHAEL OVERMYER, et al.,

Defendants.

CIVIL ACTION
NO. 13-6742

ORDER

AND NOW, this 29th day of March 2016, upon consideration of the Petition for Writ of Habeas Corpus (Doc. No. 1), the Government's Responses to the Petition for Writ of Habeas Corpus (Doc. Nos. 9, 13, 20), Petitioner's Traverse in Support of Relief (Doc. No. 16), Petitioner's Reply to Respondents' Second Supplemental Answer (Doc. No. 23), the Report and Recommendation of United States Magistrate Judge Elizabeth T. Hey (Doc. No. 26), Petitioner's Objections to the Report (Doc. No. 31), and the pertinent state court record, and in accordance with the Opinion issued this day, it is **ORDERED** as follows:

1. The Magistrate Judge's Report and Recommendation (Doc. No. 26) is **APPROVED** and **ADOPTED**.
2. The Petition for a Writ of Habeas Corpus (Doc. No. 1) is **DENIED**.
3. A Certificate of Appealability **SHALL NOT** issue because, based on the analysis contained in the Magistrate Judge's Report and Recommendation, as approved and adopted by this Court, a reasonable jurist could not conclude that the Court is incorrect in denying and dismissing the Habeas Petition. See 28 U.S.C. § 2253(c)(2); Slack v. McDaniel, 529 U.S. 473 (2000).

4. The Clerk of Court shall close this case for statistical purposes.

BY THE COURT:

/s/ Joel H. Slomsky
JOEL H. SLOMSKY, J.